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Attorneys for Defendant, Township of Howell, N.J.
Our File No.: HOWSC-002L

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

**CONGREGATION KOLLEL, INC., and
ZEBRA HOLDINGS II, LLC,**

Plaintiffs,

v.

**TOWNSHIP OF HOWELL, N.J., and
HOWELL TOWNSHIP ZONING BOARD
OF ADJUSTMENT,**

Defendants.

Civil Action No. 3:16-cv-02457-FLW-LHG

**CONSENT ORDER OF
SETTLEMENT AND DISMISSAL
WITHOUT PREJUDICE
PURSUANT TO F.R.C.P. 41(a)(2)**

THIS MATTER having been brought before the Court by the Weiner Law Group LLP, attorneys for defendant, Township of Howell, N.J. (Richard L. Rudin, Esq., appearing); Gluck Walrath LLP, attorneys for defendant, Howell Township Zoning Board of Adjustment (David Clark, Esq., appearing); and Storzer & Associates, P.C. and Stevens & Lee, P.C., attorneys for plaintiffs, Congregation Kollel, Inc. and Zebra Holdings II, LLC (Sieglinde Rath, Esq. and Christopher K. Costa, Esq., appearing) pursuant to a Settlement and Release Agreement (“SARA”), which provides that upon execution of the same by the parties the Complaint in this matter, as amended, will be dismissed without prejudice, and upon the satisfaction of the terms

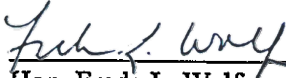
and conditions set forth in the SARA, either party, individually or all parties jointly, shall move to dismiss the complaint with prejudice, and that this Court shall retain jurisdiction for the purposes of enforcing the terms of the SARA upon the motion of either party, and the parties having represented to the Court that the SARA is intended to resolve all of the federal and state law claims in the Complaint, as amended, and the Court having determined that the terms and conditions of the SARA are fair and reasonable, and for good cause shown,

IT IS on this 11th day of January, 2022;

ORDERED that the Amended Complaint is hereby dismissed without prejudice pursuant to F.R.C.P. 41(a)(2); and

IT IS FURTHER ORDERED that the Court shall retain jurisdiction for the purpose of enforcing the terms and conditions of the SARA until the sale of the Subject Property and Adjacent Properties, as described in the SARA, is consummated and the Acquisition Price and Settlement Amount, as described in the SARA, are paid. A copy the SARA is annexed hereto and made a part hereof as Exhibit A. The dismissal of the Amended Complaint without prejudice is expressly conditioned on the retention of jurisdiction by the Court as set forth herein; and

IT IS FURTHER ORDERED that upon expiration of the Court's jurisdiction as specified in the SARA, either or both parties may apply for the entry of an Order dismissing the Amended Complaint with prejudice and without costs to either party.



Hon. Freda L. Wolfson
U.S. Chief District Judge

WEINER LAW GROUP LLP
Attorneys for the Defendant,
Consented to as to form and substance:
Township of Howell, N.J

By: _____
Richard L. Rudin, Esq.

By: _____
Ronald D. Cucchiaro, Esq.


Dated:

GLUCK WALRATH LLP
Attorneys for the Defendant,
Howell Township Zoning Board
of Adjustment

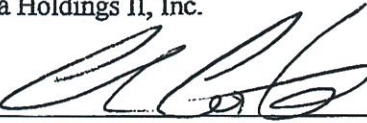
By: 
David Clark, Esq.

Dated: 1/11/2022

STORZER & ASSOCIATES, P.C.
Attorneys for Plaintiffs,
Congregation Kollel, Inc. and
Zebra Holdings II, Inc.

By: 
Sieglinde K. Rath, Esq.

STEVENS & LEE, P.C.
Attorneys for Plaintiffs,
Congregation Kollel, Inc. and
Zebra Holdings II, Inc.

By: 
Christopher K. Costa, Esq.

Dated: January 3, 2022